

September 12, 2016

A REGULAR MEETING of the Akron Village Board was held on this date at 7:34 p.m. Present: Mayor Carl Patterson, Trustees E. Peter Forrestel, Michael R. Middaugh, Brian T. Perry; Village Attorney Andrew Borden, Clerk Daniel P. Borchert, Chief of Police Richard Lauricella, Public Works Manager Jon Cummings and Code Enforcement Officer Michael Borth.

The Mayor led us in the pledge to the flag. The Mayor also led us in a moment of silence for all the victims, firemen, policemen and families affected by the events of September 11, 2001.

RESOLUTION duly moved by Middaugh seconded by Perry that the Minutes of the special meeting of August 22, 2016 be and hereby are approved by the Village Board.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
BRIAN T. PERRY - AYE

RESOLUTION, duly moved by Forrestel seconded by Perry that the audit of the bills is approved, and the Treasurer authorized to pay same in accordance with the following abstract of audit vouchers:

General Fund	\$	3,428.60
Electric Fund	\$	976.57
Water Fund	\$	3,730.33
Sewer Fund	\$	3,181.44
Capital Streets	\$	12,166.45
Capital Water	\$	3,533.38

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Middaugh and seconded by Perry that the following building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Thomas Smart	16 Cedar Street	Repair Porch	\$50.00
Louis Ingalsbe	35 Sylvan Pkwy	Shed	\$70.00
David Redmann	91 Skyline Drive	Roof	\$50.00
Michael Eldred	35 Wesley Drive	Windows/Siding	\$100.00
Edward Kramer	63 Wesley Drive	Wind/Roof/Siding	\$200.00
Edward Kramer	63 Wesley Drive	Addition	\$168.00
Dennis Smith	12 Clinton Street	Shed	\$80.00
Marshall Pann	2 Newton Avenue	Demo Garage	\$75.00
Marshall Pann	2 Newton Avenue	Garage	\$512.00

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Forrestel and seconded by Perry that the following dumpster permit be and hereby is approved with the applications and approval of the Code Enforcement Officer:

Edward Kramer 63 Wesley Drive 30 day \$50.00

ADOPTED CARL E. PATTERSON - AYE
 E. PETER FORRESTEL - AYE
 MICHAEL R. MIDDAUGH - AYE
 BRIAN T. PERRY - AYE

PUBLIC HEARING – none

APPEARANCE – Mr. & Mrs. Dale Williams from 52 Brooklyn Street came before the Board to dispute their water bill which was four times their normal bill. Public Works Manager Jon Cummings stated that he did check the meter and took a reading but did not find any leaks. He ultimately replaced the meter. The Board agreed to have Clerk Borchert research the history of the Williams's bill and report back at the next meeting.

PUBLIC COMMENT – Resident Doug Ceisner recommended to the residents on Brooklyn Street to check their toilets for a silent leak. He checks his toilets twice a year. He stated that he saw on Channel 2 a report on the Comptrollers audit of the Village of Akron, he asked what did it say, and what is the Village going to do about it. He questioned the billing of the Akron Mobile Home Park, accuracy of meters from incoming sewer lines, were delinquent Tinkham Road Water Customers bills relieved to their tax bills. Finally he suggested Village Office should place a notice in the newspaper when the Village is being audited.

Jeffrey Taylor from The Akron Hometown Pastry Shoppe commented on the Music Festival that was held in Russell Park on September 10, 2016. He questioned the legality of the event, the quick approval by the Board, the fact that it was for private gain and not a fund raiser. More discussion was held regarding advertising, alcohol in the park and fees associated with the rental of the park.

Retired Village Attorney Daniel D. Shonn mentioned the loss of Dr. David Fish past Superintendent of Akron Central School for his many contributions to the school district and to the Village as a whole.

PROJECT REPORTS –

Hoag Avenue – Public Works Manager Jon Cummings reported that the project is complete except for replacing the street lighting. The LED bulbs will be paid for by the IEEP

MONTHLY REPORTS –

Departments –

VILLAGE ATTORNEY – nothing

CLERK – Submitted his monthly report for August 2016 and the office schedule for September 2016. He reported: Collected 97% of the 2016-2017 Tax Bills; All unpaid taxes as of November 1, 2016 are sent to Erie County to be relieved on the county tax roll; 53 Village and Town Residents participated in the Shred-it event held August 6, 2016; Household Hazardous Waste Drop off /Electronic Recycling event is scheduled for October 1, 2016; Met with Dawn Kuras from USDA Rural Development on our annual compliance inspection on Monday August 29, 2016; no reportable work related injuries during the month of August; Received a message from Ken Lombardo regarding the computer server that was included in the 2016-2017 budget; Currently accepting applications for the position of Public Works Administrative Assistant through September 16th; Treasurer Tammy Kelley and Deputy Clerk Treasurer Sarah Kyre are attending the NYCOM Annual Fall Training in Saratoga Springs NY.

CHIEF OF POLICE – Submitted schedule for September 2016 and the August 2016 report. Reported: Requested to move the Crossing Guards to their respective next step effective the School year beginning date of September 6, 2016.

RESOLUTION duly moved by Middaugh and seconded by Forrestel to move the eligible Crossing Guards to their next respective step effective the school year beginning date September 6, 2016 on the recommendation of the Akron Chief of Police be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE

Chief Lauricella also reported: Super Cruise and Craft Show is scheduled for this Saturday September 17, 2016; Music Festival went well; older patrol car needs maintenance work of approximately \$1400.00

PUBLIC WORKS MANAGER – Public Works Manager Cummings reported: submitted pricing of milling and paving of several Village streets such as Buell to Hake Rd, Jackson Street, Eckerson Avenue, Franklin Street, Clinton Street and Church Street; suggested to purchase the 308 Excavator which was used at the Hoag Avenue Street Project; request for Mutual Aid from Village of Springville regarding an electric transmission line project; kudos to the Electrical Department on moving the electric line up by the airport to a more convenient location.

RESOLUTION duly moved by Perry and seconded by Forrestel to approve the milling and paving of Jackson Street, Eckerson Avenue, Franklin Street, Clinton Street and Church Street based on quotes of 2” of asphalt in accordance with the NYS contract bid by American Paving based on their availability and funded by the NYS DOT CHIPS fund be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE

CODE ENFORCEMENT OFFICER – reported: Mayor Patterson requested report of Property Maintenance Status of Village properties

TREASURER – reported: currently attending NYCOM Annual Fall Training

AKRON FIRE COMPANY – nothing

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Hatswell – reported: absent

Trustee Forrestel – reported: attended a Water Wastewater committee meeting earlier this evening along with Trustee Perry. The discussion focused on two main items one of which concerned what was mentioned in the NYS Audit, which they called a “water loss”, but we view as not a lost revenue but a discrepancy between the way things are metered at the plant and the total that is billed out to the customers. One of the steps to correct this issue is to borrow another meter to place right next to our current water meter at the Water Plant to make sure the readings are accurate. The second main topic of the meeting was Tom Carpenter from Clark Patterson Lee re-stating their presentation of the Sewer Plant Engineering Study that showed: updates needed now, updates for the future, and possible expansion of the Sewer Plant to encompass parts of the Town of Newstead.

Mayor Patterson – reported: thanked all the Residents and Businesses in the Village for their patience during the water quality issue during the past few weeks due to the severe hot and dry weather which contributed to the high temperature of the reservoir; NYS Audit showed the production vs. usage report which is helpful in our continued effort to improve operations of the Water Plant and Billing process; a Village Officials meeting is in Lancaster on September 15, 2016

Michael Middaugh – Reported: had a meeting with Disaster Coordinator Daniel Kowalik on reviewing how future events will be run in Russell Park; looked at a Special Event Permit that

the Town of Newstead has available and would like to amend it to fit the Village needs such as adding Akron Fire Company and Department of Public Works as well as an appropriate fee; looking into some new technology for cameras located in Russell Park, hoping to partner up with Newstead Rotary again to upgrade the technology; mentioned what a nice event the Music Festival turned out to be

Trustee Perry – reported: visited the water plant to meet with Manager John Asmus to review the whole system and to see what changes have been implemented due to the recent water issues; attended the Brooklyn Street Bridge Ribbon Cutting Ceremony on August 26, 2016; working on a bridge grant for the State Street Bridge for this coming year and would like to recommend Clark Patterson Lee for the engineering of the State Street Bridge for \$13,850.00; also working on another grant option for the Eckerson Avenue/Cedar Street bike path parking area; attended the Music Festival held this past Saturday and thought the event went very well.

RESOLUTION duly moved by Perry and seconded by Forrestel to approve the proposal from Clark Patterson Lee to do the engineering of State Street Bridge be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE

OLD BUSINESS

Clinton Street/Eckerson Avenue Village Land –Trustee Perry along with the Streets, Parks and Community Relations Committee as well as grant writer Pam Zabloniski are working on a grant to help fund a parking area for the bike path at Eckerson Avenue/Cedar Street

Public Works Facility at 43 East Avenue – nothing

Cable Contract – nothing

Employee Contract – executive session

Traffic Order #24 – Chief of Police Lauricella did receive responses from the distributed surveys to the Central Business District’s businesses which asked for feed-back regarding the parking in that area, responses ranged in a wide gamut of suggestions. More discussion was scheduled for the next work session.

NEW BUSINESS

52 Brooklyn Street Water Bill – discussed earlier in this evening during Appearances

RESOLUTION duly moved by Forrestel and seconded by Perry to accept agreement with the Northern Erie Sno-Seekers for the 2016-2017 winter season providing the proper paperwork is provided to the Village Office.

WHEREAS, the Village of Akron has received a request from the Northern Erie Sno-Seekers, Inc., to use a portion of the Bike Path in the Village of Akron for snowmobile use;

WHEREAS, the Northern Erie Sno-Seekers, Inc., contacted the Village Board on September 12, 2016 to renew their permission to use a portion of the Bike Path in the Village of Akron for snowmobile use;

NOW, THEREFORE, A RESOLUTION, duly moved by Forrestel, seconded by Hatswell, based on information submitted by the Northern Erie Sno-Seekers, Inc., and upon the Village’s review, the Village Board authorizes the Northern Erie Sno-Seekers, Inc., to use the Bike Path within the Village of Akron from December 15, 2016 through April 1, 2017, subject to random enforcement of speed, unreasonable noise and DWI, be and hereby is approved by the Village Board, subject to the following:

1. That the Village Board does hereby authorize the Northern Erie Sno-Seekers, Inc., to use the Bike Path beginning at Cedar Street and running southwest to Clarence Center Road,

along a route that shall be specifically marked out by the Northern Erie Sno-Seekers, Inc., and approved by the Village of Akron Superintendent of Public Works,

a. The Northern Erie Sno-Seekers must provide the Village with proof of liability coverage naming the Village of Akron as additional insured in an amount satisfactory to the Village. If such coverage is part of blanket coverage for all snowmobile clubs throughout the State of New York, the Village of Akron must be specifically named as an additional insured on such policy.

b. The Northern Erie Sno-Seekers must provide the Village with an updated copy of its certificate of incorporation and by-laws and of its rules and regulations for operation of snowmobiles on trails maintained by them.

c. The Northern Erie Sno-seekers will provide to the Village an indemnification agreement holding the Village harmless and defending the Village from all property damages and personal injuries occasioned by the activities of the Northern Erie Sno-Seekers, their members, agents, invitees or employees on any Village lands during the term of the agreement to use the Bike Path.

d. The use of the right-of-way shall begin on the last day of deer hunting season and shall terminate on April 1, 2017.

e. The Northern Erie Sno-Seekers, Inc. must cooperate with the Village to clearly mark the trail, which trail shall be located off the paved portions of the Bike Path and post speed limits and rules and regulations governing the use of the trails, satisfactory to the Village.

f. The Northern Erie Sno-Seekers, Inc., shall use the Bike Path in a manner that allows for the use of the same facilities by others including hikers and cross country skiers.

g. The Northern Erie Sno-Seekers, Inc. shall use their best efforts to avoid damage to Village Property, injury to individuals, or excessive noise.

h. Failure to abide by all these conditions may result in the Village Board's withdrawal or rescinding of the consent of the Village to use the Bike Path.

2. This resolution shall take effect immediately.

ADOPTED	CARL E. PATTERSON	-AYE
	E. PETER FORRESTEL	-AYE
	MICHAEL R. MIDDAGH	-AYE
	BRIAN T. PERRY	-AYE

RESOLUTION duly moved by Forrestel and seconded by Perry to allow Clerk Daniel Borchert to attend the IEEP Annual Meeting on Thursday September 22, 2016 in East Syracuse, NY at no cost except for travel be and hereby is approved

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE
	BRIAN T. PERRY	- AYE

RESOLUTION duly moved by Middaugh and seconded by Perry to approve the \$5,561.47 purchase from American Rock Slat per our Purchasing Policy be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE
	BRIAN T. PERRY	- AYE

RESOLUTION duly moved by Perry and seconded by Forrestel to approve the \$5,963.00 purchase of our new T630 Server off of the Dell NYS Purchasing Contract per our Purchasing Policy be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE
	BRIAN T. PERRY	- AYE

CORRESPONDENCE

Town of Amherst Central Fire Alarm July 2016 Operations Report

Town of Amherst Central Fire Alarm August 2016 Operations Report

Charter Communications Notification

Notice of Claim from Allen Christman

PUBLIC COMMENT: Sandy from Mary's Good and Plenty spoke about the parking in the Central Business District.

Mayor Patterson reminded everyone that due to the Labor Day Holiday the garbage will be pickup on Saturday. Modern Disposal, the Village contracted refuse provider, observes five holidays that re-schedule the regularly pick-up day from Friday to Saturday, they are as follows: New Year's Day, Memorial Day, Labor Day, Thanksgiving Day and Christmas Day

RESOLUTION duly moved by Perry and seconded by Middaugh to go into executive session regarding contractual issues at 8:56 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE

RESOLUTION duly moved by Perry and seconded by Middaugh to come out of executive session regarding contractual issues at 9:45 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE

On motion of Forrestel and seconded by Perry at 9:46 p.m. this meeting was
ADJOURNED

MAYOR

CLERK